



S/N 10/672349

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|-------------------------------------------------------------------------|-----------------|--------------|
| Applicant: | HEIER et al. | Examiner: | unknown |
| Serial No.: | 10/672349 | Group Art Unit: | 1775 |
| Filed: | September 25, 2003 | Docket No.: | 9424.218US01 |
| Title: | FOIL PROVIDED WITH RECESSES AND ASSEMBLY OF SUCH A FOIL AND A LIQUID | | |

PETITION UNDER 37 CFR § 1.47 (a)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of C.F.R. 1.47 (a), Applicants petition to have the present application perfected in view of the declaration by Mr. Ronald Ekkel on behalf of inventor Mr. Georges Hadziioannou who refuses to sign the declaration.

The following documents are enclosed:

A. A Statutory Declaration signed by Mr. Ronald Ekkel with exhibits A-E.

B. A Combined Declaration and Power of Attorney document signed by inventors

Jakob HEIER, Cecile VERGER, and Antonius Adrianus Josephus KETELAARS.

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02 FC:1460
03 FC:1254

130.00 OP
1480.00 OP

Facts

The Statutory Declaration signed by Mr. Ronald Ekkel indicates that he is an employee of the Stork Patent Department and serves as patent counsel for Stork N.V., Stork N.V. is the parent company to the Dutch company STORK PRINTS B.V.

The Ekkel declaration also sets forth that the inventor, Mr. Georges Hadziioannou, refuses to execute the application papers for this invention as a result of a dispute over ownership rights in the application. The Exhibits thereto further describe the evidence. In particular, Exhibits A, B, C and D indicate that Mr. Ekkel forwarded Mr. Hadziioannou the application and formal papers for signature. Furthermore, Exhibit E indicates that Mr. Hadziioannou was in receipt of these documents and that he refused to sign them due to the ongoing dispute.

The fee necessary for this Petition is enclosed herewith.

The last known address of the non-signing inventor, Mr. Georges Hadziioannou, is as follows:

7, Rue Debussy
F-87450 Mundolsheim
France

Conclusion

The above demonstrates that Mr. Hadziioannou has refused to sign to sign the Combined Declaration and Power of Attorney for the present application.

Therefore, Applicant petitions for entry of the enclosed declaration as the perfected declaration of inventorship.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's primary Attorney-of-Record, John J. Gresens (Reg. No. 33,112) at 612-371-5265.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated:

June 14, 2004

JJG/ame

By

John J. Gresens
John J. Gresens
Reg. No. 33,112



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DECLARATION IN SUPPORT OF PETITION WITH 37 CFR § 1.47 (a)

I, Ronald Ekkel, hereby declare and state that:

1. I am an employee of the Stork Patent Department and serve as patent counsel for Stork N.V. I am responsible for certain patent matters. Stork N.V. is the parent company to the Dutch company STORK PRINTS B.V. having its principal offices at Raamstraat 3, Boxmeer, 5831 AT, The Netherlands. The Patent Department of Stork N.V. represents Stork subsidiary companies including Stork Prints B.V.

2. STORK PRINTS B.V. filed a US patent application claiming the priority date of the Netherlands patent application no. 1021544, filed September 26, 2002. For this application four joint inventors were named: Jakob HEIER, Cecile VERGER, Antonius Adrianus Josephus KETELAARS, and Georges HADZIIOANNOU. The US patent application was filed on September 25, 2003 and received Serial No. 10/672349.

3. On September 26, 2003, I sent a letter to Mr. HADZIIOANNOU at his last known address of 7, Rue Debussy, Mundolsheim, France, enclosing Assignment and Combined Declaration and Power of Attorney documents and requesting his signature. A postage-paid envelope was also included for the return of the documents. A copy of the letter and the documents accompanying the letter are enclosed as Exhibit A.

4. On December 15, 2003, I sent an email and letter to Mr. HADZIIOANNOU again requesting that he sign the documents. A copy of the letter is enclosed as Exhibit B.

5. On March 1, 2004, I sent a registered letter to Mr. HADZIIOANNOU at his last known address again requesting his signature and enclosing a copy of the U.S. patent application and the Assignment document. A copy of the letter is enclosed as Exhibit C. A copy of the registered mailing label is enclosed as Exhibit D.

6. On April 6, 2004 I received a letter from Mr. HADZIIOANNOU in which he confirms that he received my correspondence. In this letter, Mr. HADZIIOANNOU states, "...I won't sign the documents you sent me..." A copy of the letter is enclosed as Exhibit E.

7. The above detailed facts show that STORK PRINTS B.V. has made diligent effort to obtain the signature of Mr. HADZIIOANNOU and Mr. HADZIIOANNOU's actions should be construed as a refusal to sign the Combined Declaration and Power of Attorney.

8. I hereby declare that I have reviewed and understand the contents of this declaration, and that all statements made herein to my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Ronald Ekkel

A handwritten signature in black ink, appearing to read 'R. Ekkel', written over a horizontal line.

Signature

May 24, 2004

Date